

REMARKS

In the Office Action dated January 21, 2005, the Examiner rejected all pending claims (1, 2, 6, and 7) as being obvious over Roberts et al. (US 4,182,437) in view of JP 56016578A or in view of Carlson et al. (U.S. 5,871,159). Applicants have amended claims 1 and 6.

The Examiner's § 103 rejection was based in part on Roberts et al.'s disclosure of a friction material that did not include Al_2O_3 or ZrO_2 as components. Applicants' invention as previously claimed recited "less than 10 wt% of at least one of Al_2O_3 and ZrO_2 ," and the Examiner found this limitation disclosed in Roberts et al. because it was "the Examiner's interpretation that less than 10% could also be zero." (Detailed Action at 3.) The Examiner is correct that Roberts et al. does not teach using Al_2O_3 and ZrO_2 in its section entitled "Silicate Glasses." (Col. 4, lines 19-64.) Instead, Roberts et al. only teaches using Al_2O_3 and ZrO_2 in compositions other than "silicate glasses." (See, e.g., col. 4, line 65 - col. 5, line 39.)

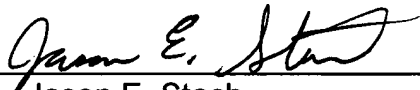
Applicants have amended independent claims 1 and 6 to clarify that Applicants' silicate-based non-asbestos friction material comprises "at least 0.1 wt% but less than 10 wt% of at least one of Al_2O_3 and ZrO_2 ." Therefore, Applicants respectfully submit that Roberts et al. does not disclose, teach, or suggest the invention as now claimed, either alone or in combination with the other references cited against this application. Dependent claims 2 and 7 are allowable for the same reasons claims 1 and 6 are allowable, so Applicants respectfully request allowance of all pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: April 15, 2005

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